

1 STEVEN G. KALAR
2 Federal Public Defender
3 JOHN PAUL REICHMUTH
4 Assistant Federal Public Defender
5 555 - 12th Street, Suite 650
6 Oakland, CA 94607-3627
7 Telephone: (510) 637-3500

8 Counsel for Defendant BROWN

9

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12
13
14
15

UNITED STATES OF AMERICA,)	No. CR 15-0015-JST
vs.)	STIPULATION TO CONTINUE;
KENYA BROWN,)	PROPOSED ORDER CONTINUING
Defendant.)	CASE AND EXCLUDING TIME UNDER
)	THE SPEEDY TRIAL ACT

16 IT IS HEREBY STIPULATED, by and between the parties to this action, that the
17 CHANGE OF PLEA/SENTENCING HEARING date of April 17, 2015 presently scheduled at
18 2:30 p.m., before the Honorable John S. Tigar, be vacated and re-set for May 8, 2015 at 9:30 a.m.
19 for CHANGE OF PLEA and SENTENCING.

20 The reason for this request is that the parties need additional time to draft a proposed plea
21 agreement and seek approval for it. The defense has not yet reviewed the plea proposal with Ms.
22 Brown or advised the government whether final approval should be sought. Furthermore, in
23 hopes of a joint plea and sentencing date, the parties intend to submit sentencing memoranda
24 prior to the guilty plea. Both parties need additional time to draft sentencing memoranda, given
25 that those will largely be based on the plea proposal that is mutually adopted. There remains a
26

1 substantial amount of discovery for the defense to review as well, should the case not resolve.
2 The parties agree and stipulate that the time until May 8, 2015 should be excluded, under 18
3 U.S.C. §3161(H)(7)(A) and (B)(iv), because the ends of justice served by the granting of the
4 continuance outweigh the bests interests of the public and the defendant in a speedy and public
5 trial. The continuance is necessary to accommodate both counsels' preparation efforts.

6

7

Date 04/09/15

/s/
John Paul Reichmuth
Assistant Federal Public Defender
Counsel for defendant BROWN

9

10

11

12

Date 04/09/15

/s/
Thomas Newman
Assistant United States Attorney

13

14

15

16

17

18

19

20

21

22

23

24

25

26

1 ORDER

2 The court finds that the ends of justice served by the granting of the continuance
3 outweigh the bests interests of the public and the defendant in a speedy and public trial. The
4 continuance is necessary to accommodate both counsels' preparation efforts including the
5 drafting of the plea agreement and sentencing memoranda, as well as review of documents with
6 the defendant. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned
7 matter be continued to May 8, 2015 at 9:30 a.m., and that time be excluded from the date of this
8 order to May 8, 2015 pursuant to 18 U.S.C. §§3161(h)(7)(A) and (B)(iv).

9

10 IT IS SO ORDERED.

11

12

13 April 10, 2015

14 Date

15

16

17

18

19

20

21

22

23

24

25

26

